

**GENERAL  
INFORMATION**

The following policies must be used when an administrative hearing regarding adoption assistance, medical subsidy or nonrecurring adoption expenses is requested.

**MAHS**

The Michigan Administrative Hearings System (MAHS) is the state's central agency that provides impartial administrative law judges to conduct administrative hearings for the Michigan Department of Health and Human Services (MDHHS). This office is located within the Department of Licensing and Regulatory Affairs (LARA). Contact information for MAHS is below.

Michigan Administrative Hearing System (MAHS)  
Benefit Services Division  
P.O. Box 30763  
Lansing, MI 48909  
Tel.: (517) 335-7519  
Fax: (517) 763-0155

**ISSUES SUBJECT  
TO ADMINISTRATIVE  
HEARINGS**

MDHHS has an administrative hearing process to provide for the right to dispute a department decision when an individual believes a decision and/or action is contrary to law or MDHHS policy. Examples of issues subject to administrative hearings include, but are not limited to:

- A request has not been acted upon per the established AAM policy/timeframes for that particular request.
- Denial of eligibility for any of the adoption assistance programs.
- Lack of notification by MDHHS, or a private agency under contract with MDHHS, to potential adoptive parents about the availability of adoption assistance for children who are under MDHHS responsibility for placement and care when the prospective adoptive parent(s) have requested a determination of eligibility by signing the DHS-4081, Adoption Assistance Intent Statement.

- The required application documents for prospective adoptive parent(s) who request an eligibility determination to apply for adoption assistance was not completed by the adoption worker prior to the final order of adoption.
- Dispute with negotiated and/or maximum adoption assistance rate.
- Closing of an adoption assistance and/or medical subsidy case.
- Reduction or denial of adoption assistance, nonrecurring adoption expenses, and/or medical subsidy benefits.

The applicant, adoptive parent, or guardian must prove that an error occurred in his or her case that would substantially affect the determination at an administrative hearing.

## NOTICE REQUIREMENTS

Application forms and each written decision made on a case must provide applicants information on their right to a hearing. This includes an explanation of how and where to file a hearing request and the right to be represented by an authorized hearing representative at the applicant's expense.

The applicant must receive a written notice of all decisions affecting adoption assistance, medical subsidy or nonrecurring expenses eligibility or the amount of benefits. When a decision is proposed or made, the notice must specify:

- The decision of the department.
- The reason(s) for the decision.
- The specific manual item(s) that cite the legal basis for the decision, or the regulation or law itself.
- The circumstances when adoption assistance or medical subsidy will be continued until the hearing decision is received.
- If the MDHHS decision is upheld, the payments made during the time must be repaid to the department.

***Exception:*** There will not be a notice of a decision when a proposed or final hearing decision is issued.

The Adoption and Guardianship Assistance Office must give **timely** and **adequate** notice of decisions that will result in discontinuance, termination, suspension, or reduction of adoption assistance and/or medical subsidy.

**Adequate notice** means a notice containing the information above. **Timely notice** of these MDHHS decisions means that notice must be mailed at least 10 calendar days before the effective date of the decision by the department.

In the following circumstances, the Adoption and Guardianship Assistance Office must send **adequate notice** to the applicant, adoptive parent, or guardian no later than the date of the decision (immediate negative action):

- When the Adoption and Guardianship Assistance Office has factual information confirming the death of the adoption assistance payee or the adoption assistance-eligible child.
- When the Adoption and Guardianship Assistance Office receives a written statement signed by the adoption assistance payee that he/she no longer wishes to receive adoption assistance or the statement provides information which requires termination or reduction of assistance and the payee has indicated in writing that he/she understands that the discontinuance of adoption assistance is the result of the information.
- When the payee's whereabouts are unknown and MDHHS mail directed to the payee has been returned by the post office indicating no known forwarding address. The payee's check must be made available to him/her if the whereabouts become known during the payment period covered by a returned check.
- When the Adoption and Guardianship Assistance Office has factual information confirming that adoptive parent(s) is not providing any support for the child or the termination of the adoptive parent(s)'s parental rights has occurred.
- A special allowance granted for a specific time period is terminated and the recipient has been informed in writing at the time of initiation that the allowance shall automatically terminate at the end of the specified period.

**AUTHORIZED  
HEARING  
REPRESENTATIVE  
(AHR)**

A hearing request signed by a petitioner may name an authorized hearing representative (AHR) who may represent the petitioner in the hearing process. The petitioner may choose an attorney or other person to act as the AHR. An AHR exercises the petitioner's right to a hearing and may do whatever the petitioner would do if the petitioner were not represented. If the petitioner names an AHR, the AHR must sign a hearing request withdrawal, if one is filed.

**WHO MAY REQUEST  
AN  
ADMINISTRATIVE  
HEARING**

Prior to adoptive placement by the court, an administrative hearing may be requested by an adoption assistance applicant or his or her AHR. After adoptive placement by family court order, the adoptee, the adoptive parent or legal guardian (appointed after the death of the adoptive parent(s) under MCL 700.5202 and 700.5204) or an AHR has the right to request a hearing.

**HEARING REQUEST  
DEADLINE**

Hearing requests must be in writing, signed and submitted to the:

Adoption and Guardianship Assistance Office  
Hearings Coordinator, MDHHS  
235 S. Grand Ave., Suite 612, PO Box 30037  
Lansing, MI 48909

For all denials and other appeals, an individual has the right to request a hearing within 90 calendar days from the date of the written decision notice by the Adoption and Guardianship Assistance Office.

**CONTINUATION OF  
PROGRAM  
BENEFITS**

To avoid suspension, reduction, discontinuance, or termination of adoption assistance, medical subsidy, or nonrecurring adoption

expenses pending the administrative hearing, the petitioner must submit a hearing request to the Adoption and Guardianship Assistance Office on or before the 11th business day from the date of the written decision notice.

If a petitioner requests a hearing within the above timeframe, the department shall not suspend, reduce, discontinue, or terminate adoption assistance, medical subsidy, or nonrecurring adoption expenses pending a decision following the hearing.

***Exception:*** Benefits will not continue when the petitioner or AHR (this includes petitioner's attorney) specifically states in writing that continued assistance pending the hearing decision is **not** requested or if the adoptive parent(s)'s parental rights have been terminated or released.

If a hearing request is not received within the above-stated timeframe, suspension, reduction, and/or termination of assistance will not be reversed prior to the final decision and order.

## DENIAL AT APPLICATION

The petitioner is not entitled to benefits pending the hearing when the reason for the hearing request is a denial of eligibility at application.

## RECOUPING PROGRAM BENEFITS

If a hearing request is received timely and program benefits are continued, repayment of funds will be required if any of the following occur:

- The hearing request is later withdrawn.
- The petitioner or AHR fails to appear for the hearing and a final decision and order is issued based upon the default.
- The final decision and order upholds the department's decision.

The repayment will be calculated from the date the payments should have stopped as indicated on the written decision notice by the Adoption and Guardianship Assistance Office or the final decision and order.

**LOCAL OFFICE  
RECEIPT OF  
HEARING REQUEST**

In the event an adoption assistance hearing request is inappropriately filed in the local MDHHS office, it must be date-stamped and immediately forwarded to the Adoption and Guardianship Assistance Office at:

Adoption and Guardianship Assistance Office  
Hearings Coordinator, MDHHS  
235 South Grand Ave., Suite 612, P.O. Box 30037  
Lansing, MI 48909

**ADOPTION AND  
GUARDIANSHIP  
ASSISTANCE  
OFFICE ACTION ON  
UNTIMELY  
REQUESTS**

Hearing requests received by MDHHS more than 90 calendar days from the date of the written decision notice, the Adoption and Guardianship Assistance Office may do one the following:

- Complete the DHS-3050, Hearing Summary and include:
  - The request was received more than 90 calendar days from the date of the written decision notice (attach a copy of the notice).
  - Request an informal conference with MAHS and the petitioner.
- Forward the DHS-3050, Hearing Summary, and hearing request to MAHS with a copy to petitioner.

**STANDARDS OF  
PROMPTNESS**

The Adoption and Guardianship Assistance Office has 14 calendar days from receipt of the hearing request to complete all of the following:

- Log the hearing request.
- Contact the petitioner or AHR.

- Obtain and submit to MAHS verification of the AHR's prior authorization, if needed.
- Offer an informal conference including all appropriate persons.

**Note:** The conference does not need to be held within the 14-calendar day standard, but there must be documentation of the contact with the petitioner or AHR within the 14 calendar days.

- Clarify the nature of the dispute.
- Forward to MAHS by the 14th calendar day, the request with either:
  - A DHS-18A, Hearing Request Withdrawal
  - A DHS-3050, Hearing Summary

Upon receipt of the hearing summary and hearing request, MAHS will schedule the hearing. MAHS is responsible to conduct a hearing, render a proposed decision, and mail it to the Adoption and Guardianship Assistance Office, the petitioner and the AHR.

Following the administrative hearing, the Adoption and Guardianship Assistance Office has 14 calendar days from the date a final order and decision is received from the department director to implement the decision.

## EXPEDITED HEARINGS

The department or petitioner may request an expedited hearing with justification.

An expedited hearing may be requested when unusual circumstances exist. Circumstances that may qualify for an expedited hearing include, but are not limited to:

- Medical subsidy denials for out-of-home placement funding.
- Denial of eligibility/services for a child with a serious medical condition.

Adoption and Guardianship Assistance Office shall request an expedited hearing at the request of the petitioner by calling the ALJ manager or checking the expedited hearing box on the DHS-3050, Hearing Summary.

All of the following must be completed by the Adoption and Guardianship Assistance Office within five business days of receiving the written hearing request:

- Complete the DHS-3050. Include an explanation of the reason an expedited hearing is required.
- Write *expedited hearing* at the top of the hearing request.
- Fax the hearing request and the summary to MAHS.

### **DHS-3050, REVIEW AND HEARING SUMMARY**

Upon receiving a signed, written hearing request, the Adoption and Guardianship Assistance Office will review the request and complete the DHS-3050, Hearing Summary, and forward it and the original hearing request to MAHS. The hearing summary must briefly describe the agency's decision and the petitioner's arguments against the department decision.

The narrative of the hearing summary must include all of the following:

- A clear statement of the decision, including all programs involved in the decision.
- Facts that led to the decision.
- Policy that supported the decision.
- Correct address of the petitioner or AHR.
- Description of the documents the Adoption and Guardianship Assistance Office intends to offer as exhibits at the hearing.

The department may decide what exhibits to offer at the hearing and attach copies to the hearing summary. A list of the policies used in determination of the MDHHS decision must also be included. A copy of the hearing summary and copies of proposed exhibits and policies must be sent to the petitioner at the same time they are sent to MAHS. A copy of all documents must be kept in the adoption assistance case file. Additional documents may be sent to MAHS and to the petitioner and offered at the hearing after the hearing summary has been submitted.

The Adoption and Guardianship Assistance Office must determine whether a local office or private contract agency staff person is needed for testimony at the hearing. If staff is determined necessary, they should be informed by telephone and confirmed in writing. Current MDHHS and contract agency staff are required to participate in administrative hearings without a subpoena when their testimony is deemed necessary.

A request for a subpoena may be sent to MAHS if a witness is no longer employed or under contract with MDHHS. The request must be sent prior to the hearing date and allow time for sufficient notice.

### MAHS RESPONSE TO HEARING REQUESTS

MAHS may grant or deny a hearing request. MAHS can deny requests:

- Signed by unauthorized persons.
- Without signatures. Faxes or photocopies of signatures are acceptable.

### INFORMAL CONFERENCE

Issues stated in the hearing request should be resolved whenever possible through an informal conference with the petitioner or AHR (which includes the parties' attorneys of record) rather than through a hearing. This conference (either in person or by phone) must be scheduled within 30 calendar days after the Adoption and Guardianship Assistance Office receives the hearing request unless:

- The petitioner or AHR chooses not to participate in the informal conference.

**Note:** The efforts made to offer a conference must be documented in the case record.

- A conference was held prior to the receipt of the hearing request, the issue in dispute is clear, and MDHHS staff fully understands the positions of the petitioner. Documentation of the conference must be filed in the case record.

All appropriate staff should be consulted before the informal conference and should attend, as necessary.

**CORRECTED CASE  
ACTION**

If the Adoption and Guardianship Assistance Office determines that the decision needs correction, the department may take one or more of the following actions:

- Cancel the MDHHS case decision.
- Make corrective payments retroactive to the date the incorrect action was effective.
- Send a new decision notice to the petitioner and/or AHR.

The hearing will not be dismissed if the petitioner or AHR claims that the Adoption and Guardianship Assistance Office failed to correct all disputed decisions.

**WITHDRAWAL**

A petitioner or AHR may request or agree to withdrawal of a hearing at any time prior to the administrative law judge's (ALJ) issuance of a recommended hearing decision and order. When a petitioner wishes to withdraw a request, a written and signed withdrawal must be submitted. If the petitioner has named an AHR, the AHR must sign the hearing request withdrawal. The DHS 18-A, Hearing Request Withdrawal, may be used for this purpose.

A written and signed withdrawal must be sent to the Adoption and Guardianship Assistance office. The withdrawal must state clearly that the petitioner has decided to withdraw the request and the reason for the withdrawal. The Adoption and Guardianship Assistance Office must forward the signed withdrawal to MAHS, indicating agreement or objections, and file a copy in the case record. If the case has already been assigned to an ALJ, the withdrawal will be submitted to the assigned ALJ for consideration.

**Note:** This must occur if the DHS-3050, Hearing Summary, has been submitted to MAHS.

**ATTORNEY  
GENERAL  
REPRESENTATION**

The Adoption and Guardianship Assistance office staff must notify the [Children's Services Legal Division \(CSLD\)](#) immediately upon

notice to the department that a client will be represented by an attorney. CSLD will request Attorney General (AG) representation.

The Office of Attorney General requires a two-week notice prior to the date of the hearing. If there is less than two weeks' notice, a request for adjournment should be made to MAHS for purpose of arranging legal representation. The decision whether to adjourn the matter is left to the discretion of the ALJ. A hearing date does not have to be received to make a request for representation.

Once an AAG is assigned to a case, the department should direct all routine communication to the assigned AAG and not to MAHS, the petitioner or his or her AHR, unless directed otherwise by the AAG. The directive does not pertain to communications that can only be addressed by MAHS, e.g. dismissal of a hearing request when a client requests to withdraw the request subsequent to the informal conference.

**Note:** In cases where it is determined by the department that AG representation would be beneficial, such as a complex issue in dispute; client representation by a third party organization, the department may request AG representation by following above process.

#### TELEPHONE HEARINGS- REQUEST BY PARTY

MAHS will schedule an in-person hearing upon receipt of a hearing summary/request for hearing from MDHHS as standard practice, unless the hearing summary/request for hearing specifically requests that a telephone hearing be scheduled. After an in-person hearing has been scheduled, either party may submit a request that the hearing be converted to a telephone hearing for one or both of the parties. The request to convert to telephone hearing must be made in writing to MAHS (to the attention of the assigned ALJ indicating Docket No.) stating the reason(s) for the request with a copy provided to the opposing party. The request must contain a Proof of Service or written indication that the opposing party has been served with a copy of the request. The request to convert to telephone hearing must be filed with MAHS no later than 10 days in advance of the scheduled hearing date, unless good cause is shown for late filing. The opposing party must file written objections to the request within seven calendar days of the filing date. The assigned ALJ will decide on whether good cause has been shown to grant the request.

**TESTIMONY BY  
TELEPHONE**

A party may request that a witness be allowed to testify by telephone at a scheduled in-person hearing. The request must be made in writing to MAHS (to the attention of the assigned ALJ indicating Docket No.) stating the reason for the request with a copy provided to the opposing party. The request must contain a Proof of Service or written indication that the opposing party has been served with a copy of the request. The request for telephone testimony must be filed with MAHS no later than 10 calendar days in advance of the scheduled hearing date, unless good cause is shown for late filing. The opposing party may file written objections to the request within seven calendar days of the filing date. The assigned ALJ will decide on whether good cause has been shown to grant the request.

**REQUESTS FOR  
POSTPONEMENT  
(ADJOURNMENT)**

The petitioner, an AHR or the Adoption and Guardianship Assistance Office may request a postponement (also called adjournment) of a scheduled hearing. A party shall submit a written request for postponement. A request for postponement shall be made within seven calendar days prior to the scheduled hearing, unless good cause is shown for a shorter timeframe. Only MAHS can grant or deny a postponement. If the hearing is rescheduled, a notice of hearing will be mailed to all parties who received the original notice.

**THE HEARING**

The usual sequence for a hearing is:

- Introduction by the ALJ.
- Opportunity for the parties or counsel to provide opening statements.
- Generally, the petitioner presents his or her case first unless to provide greater efficiencies, the department consents to change the presentation order.
- Testimony of witnesses and presentation of exhibits

- Opportunity for the parties or counsel to provide closing statements.

In general, the ALJ will follow the uniform administrative rules of Administrative Procedures Act, MCL 24.201 et. Seq. and R 792.10101 to the extent these rules are applicable. The ALJ must ensure the record is complete and may:

- Take an active role in questioning the witnesses and parties.
- Assist either side to ensure that necessary information is present on the record.
- Be more flexible than a circuit court judge in deciding what evidence may be presented and admitted into the record.
- Determine what evidence is acceptable, material and relevant to the hearing.
- Take appropriate actions to control the proceeding in order to make a complete record.

## **FAILURE TO APPEAR**

In the event that one of the parties fails to appear at the hearing after receiving proper notice, the other party may request a dismissal or a default judgement against the non-appearing party pursuant to the Administrative Procedures Act, MCL 24.201 through MCL 24.238.

## **HEARINGS FOR ERROR DETERMINATION**

The ALJ issues a recommendation for hearings concerning adoption assistance and/or nonrecurring adoption expenses (NRE) eligibility requests after the final order of adoption. The MDHHS director may adopt or reject the ALJ's recommended decision in his or her final decision and order. The MDHHS director may also refer the case to the ALJ for reconsideration of the original recommendation.

There are certain circumstances in which an ALJ may find:

- A specific error (examples below) was made.

- The child's pre-adoptive circumstances met the adoption assistance/NRE eligibility requirements prior to the date of the final order of adoption.

If the child's circumstances did not meet adoption assistance/nonrecurring adoption expenses eligibility requirements prior to the date of the final order of adoption, the presence of an error is not relevant. Determination of an error listed below will not change the child's ineligibility.

### Specific Errors

Some examples of errors that may be considered in the administrative hearing for adoption assistance and/or nonrecurring adoption expenses eligibility requests are:

- An error in the written determination of a child's ineligibility by the MDHHS Adoption and Guardianship Assistance Office.
- The documented denial of eligibility by the MDHHS Adoption and Guardianship Assistance Office was based on a means test of the adoptive family income/assets.
- Failure by the MDHHS local office adoption program (or private agency under contract with MDHHS to provide adoption services to the child) to notify or advise the adoptive parent(s) of the availability of adoption assistance and/or nonrecurring adoption expenses. Documented receipt of DHS Publication 538, Michigan's Adoption Assistance Programs, may be evidence of notice of the above.
- Relevant facts regarding the child were known by MDHHS, placing agency foster care (PAFC) provider, or contracted private adoption agency and the information was not presented to the adoptive parent(s) prior to the final order of adoption.

### Specific Error Determination

Unless there is a jurisdictional or timeliness issue, the hearing may proceed to determine if a specific error occurred on a case. The eligibility policy that was in effect at the time of the final order of adoption will be used to determine eligibility.

If a child's circumstances did not meet eligibility criteria for adoption assistance and/or nonrecurring adoption expenses prior to the date

of the final order of adoption but there is evidence of an error as listed above, eligibility cannot be granted.

### **Adoption Assistance Rate for Children Found Eligible**

The ALJ shall issue a recommended hearing decision with proposed findings of fact and conclusions of law to the MDHHS department director.

If the MDHHS director determines in a final decision and order that a specific error occurred and the child met the eligibility requirements for adoption assistance, the MDHHS Adoption and Guardianship Assistance Office will determine the maximum adoption assistance daily rate. The maximum rate will be determined consistent with the foster care maintenance rate that the child received, or would have received, in a foster family home, that was in effect at the time immediately prior to the final order of adoption. In addition, any legislative increase or decrease to the standard base rate that was authorized since the child's adoption placement will be considered.

For a child who was adopted from a residential treatment facility, the maximum adoption assistance rate will be determined consistent with policy in [AAM 210, Adoption Assistance Rate Determination](#).

After a maximum adoption assistance rate is determined by the Adoption and Guardianship Assistance Office, the ongoing adoption assistance rate will be negotiated with the adoptive parent(s). A negotiated DHS-4113, Adoption Assistance Agreement, must be signed by the adoptive parent(s) and the adoption and guardianship assistance program manager or MDHHS designee before the adoption assistance ongoing payment and any retroactive payments may be paid.

### **Effective Date of Adoption Assistance**

If the MDHHS director determines in a final decision and order that a specific error occurred **and** the child met the adoption assistance eligibility requirements, the adoption assistance will be paid retroactive to the date the first payment would have been made if

an error had not occurred. The adoption assistance payment is processed when the adoption assistance agreement is signed by the adoptive parent(s) and the adoption and guardianship assistance program manager or MDHHS designee and the DHS-1344, Case Opening Request, is submitted by the parent(s) to the Adoption and Guardianship Assistance Office.

### **Medicaid for Children Found Eligible**

If the MDHHS director determines in a final decision and order that a specific error occurred **and the child met adoption assistance eligibility requirements at the time the eligibility determination was made**, the Adoption and Guardianship Assistance Office will determine the child's eligibility for Medicaid through the adoption assistance program. If it is determined that the child is eligible, Medicaid will be activated after the adoption assistance agreement is signed by the adoptive parent(s) and the adoption and guardianship assistance program manager or MDHHS designee, and the DHS-1344, Case Opening Request, is submitted by the parent(s) to the Adoption and Guardianship Assistance Office.

**Note:** Adopted children are given the opportunity to select a Medicaid health plan. If no health plan is selected by the adoptive parent(s), a health plan is automatically chosen by the State of Michigan's contracted enrollment broker, Michigan ENROLLS. The selection of the health plan is determined by the beneficiary's county of residence.

### **Nonrecurring Adoption Expenses Reimbursement for Children Found Eligible**

If the MDHHS department director determines in a final decision and order that a specific error occurred and the child met the eligibility requirements for nonrecurring adoption expenses, the DHS-4113, Adoption Assistance Agreement, or DHS-4814, Nonrecurring Adoption Expenses Application/Agreement for a Child Without Adoption Assistance, must be signed by the adoptive parent(s) and the adoption and guardianship assistance program manager or MDHHS designee. The allowable expenses will be determined and reimbursed up to the maximum allowed after the

DHS-1344, Case Opening Request, and DHS-4815, Parent Claim for Reimbursement of Nonrecurring Adoption Expenses, are submitted to the Adoption and Guardianship Assistance Office by the adoptive parent(s); see [AAM 310](#).

## **ADOPTION ASSISTANCE RATE DISPUTES**

Adoption assistance payment rates must comply with state law [MCL 400.115g (2)], adoption assistance policies in [AAM 210](#), and foster care policies in [FOM 903-3](#).

## **HEARING DECISIONS**

The ALJ determines the facts based solely on the evidence at the hearing, draws conclusions of law, and for all adoption assistance matters issues a recommended decision to the MDHHS director.

Copies of the recommended decision are sent to the Adoption and Guardianship Assistance Office and the petitioner. Either party may file written exceptions within the timeframe as set forth in the recommended decision. The MDHHS director has 60 calendar days to issue a final decision and order or remand for rehearing.

The petitioner has the right to appeal the final decision and order to probate court within 60 calendar days after the final decision and order is received.

The final decision and order may require the Adoption and Guardianship Assistance office to take action. The office must implement any required action within 14 calendar days of the mailing date of the hearing decision.

## **REHEARING**

A rehearing is a hearing which is granted on the MDHHS director's final decision and order when the original hearing record is inadequate for purposes of judicial review or there is newly discovered evidence that could affect the outcome of the original hearing.

The request for a rehearing of the MDHHS director's final decision and order must be received by the department within 60 calendar days of the mailing date on the final decision and order.

**RECONSIDERATION  
(HEARING)**

A reconsideration is a paper review of the facts, law and any new evidence or legal arguments. A reconsideration is granted when the original hearing record is inadequate for judicial review and a rehearing is not necessary but the department believes the ALJ failed to accurately address all the issues.

MAHS will grant or deny the request and will send written notice to all parties of the original hearing. If MAHS grants a reconsideration, the hearing decision may be modified without another hearing unless there is a need for further testimony. If a rehearing is granted, MAHS will schedule and conduct the rehearing in the same manner as the original hearing.

**REQUEST FOR A  
REHEARING OR  
RECONSIDERATION**

The department or petitioner may file a written request for a rehearing or reconsideration. The parties may request a rehearing or reconsideration for reasons including but not limited to:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing.
- Misapplication of policy or law in the hearing decision which led to a wrong conclusion.
- The ALJ did not address in the decision relevant issues raised in the hearing request.
- Typographical or mathematical errors that affect the rights of one of the parties.

**APPEALING A  
HEARING DECISION**

Appeals from administrative hearing decisions must be filed in the probate court in which the adoption petition was filed or the probate court of the county in which the adoptee resides. For families living out-of-state, appeals must be filed in the probate court in which the adoption petition was filed.